

Amendment – Ser. No. 10/809,094
October 15, 2007
Page 6

REMARKS

This responds to the first office action mailed June 14, 2007 in connection with the above identified patent application. Prior to entry of this amendment, claims 1-24 were pending in the application. By this amendment, claim 2, 10, 12, 18-23 have been amended, and claims 1, 7, 8, 11 and 24 have been canceled. Amended independent claim 2 does not introduce new matter, since the amendments contain only limitations that were disclosed in the original claims 11 and 24.

Double Patenting

Claims 1-24 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,612,838 in combination with other references. A Terminal Disclaimer has been submitted herewith to obviate the double patenting rejection.

Claim Rejection - 35 U.S.C. 112

The Examiner rejected claims 13-16 and 24 under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant notes that "the third container" has been now introduced in amended independent claim 2. Therefore, claims 13-16 which depend on claim 2, have sufficient antecedent basis for this limitation.

Claim 24 has been canceled

Amendment – Ser. No. 10/809,094
October 15, 2007
Page 7

Claim Rejection - 35 U.S.C. 102

Claims 1-10, 12 and 18-23 were rejected pursuant to 35 U.S.C. sec. 102(b) as being anticipated by U.S. Publication No. 2002/0033362 to Castellini (Castellini) .

To overcome this rejection, claim 1 has been canceled and claim 2, which is the only independent claim, has been amended introducing subject matter originally disclosed by claims 11 and 24 (now canceled).

Amended claim 2 now recites: "... the second unit (12) comprising a second container (17) for holding a sterile liquid and a third container (19) holding a disinfectant or medicinal product to be mixed with the sterile liquid by respective dosing means (20) acting between the second container (17) and the third container (19) in such a way as to supply at least the first branch (3) with the second fluid (F2) having properties suitable for the treatment to be carried out; ..." and "... product detection means (33) acting on the first unit (9) and on the control means (30) to enable activation of a continuous supply cycle when the second fluid (F2) is detected and discontinuous sterilization or sanitisation cycle when the first fluid (F1) is detected."

Castellini does not show or suggest a third container holding a disinfectant or medicinal product to be mixed with the sterile liquid. Moreover, Castellini does not disclose or suggest dosing means acting between the second container and the third container.

It is also to be noted that Castellini fails to show or suggest product detection means acting on the first unit.

For this reason, amended independent claim 2 is respectfully submitted to be patentable over Castellini. Since dependent claims depend upon new claim 2 and, by definition, disclose all the limitation of such claim, the dependent claims are also submitted to be patentable over Castellini.

Amendment -- Ser. No. 10/809,094
October 15, 2007
Page 8

Claim Rejection - 35 U.S.C. 103

The Examiner stated that claims 11 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castellini (U.S. Publication No. 2002/0033362) in view of Belfer et al. (U.S. Patent No. 6142170).

Moreover, claims 17 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Castellini (U.S. Publication No. 2002/0033362) in view of Behringer (WO 02/15811).

As noted above, claim 2 now discloses that the disinfectant or medicinal product of the third container (19) is mixed with the sterile liquid of the second container by respective dosing means (20) acting between the second container (17) and the third container (19). Moreover, claim 2 now describes product detection means (33) acting on the control means (30) to enable activation of a continuous supply cycle when the second fluid (F2) is detected and discontinuous sterilization or sanitisation cycle when the first fluid (F1) is detected. The second fluid (F2) detected by product detection means can be mixed with the liquid contained in the third container.

As a consequence, the product detection means are able to detect the first fluid, the second fluid contained in the second container, or the second fluid obtained by mixing the liquid of the second and third container. Neither Castellini nor Belfer or Behringer disclose that the product detection means are capable to detect a fluid obtained by mixing two different liquids. For this reason also combining the technical features of such prior art documents, it is impossible to obtain the claimed solution.

For this reason, present claim 2 is new and inventive, and therefore patentable, over the cited prior art documents.

Since all the dependent claims depend now directly and indirectly upon and contain all the limitation of patentable claim 2, they are felt to be patentable too for the reasons

Amendment – Ser. No. 10/809,094
October 15, 2007
Page 9

given above, as well as for the further limitations therein.

In view of the foregoing, reconsideration and withdrawal of the above rejections is respectfully requested.

Priority Document

The applicant submitted the certified copy of the Priority Document on March 25, 2004. The applicant requests that the Examiner please acknowledge the priority claim and safe receipt of the Priority Document.

Conclusion

The prior art made of record but not applied by the Examiner has been carefully considered but is submitted to be less relevant than the references previously discussed. All matters having been addressed above and in view of the pending claims and remarks, Applicant respectfully requests the entry of this Amendment, the Examiner's reconsideration of the application, and the timely allowance of the pending claims. Applicants' counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this application.

Respectfully submitted,



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